

## REMARKS

Claims 7 to 11, as amended, appear in this application for the Examiner's review and consideration. Claims 1 to 6 were canceled without prejudice by a previous Amendment. Claims 7 to 9 stand withdrawn, as being directed to a non-elected invention. The amendments are fully supported by the specification and claims as originally filed. Therefore, there is no issue of new matter. The amendments to the claims are intended to place the claims in better form for consideration on appeal, as set forth in 37 C.F.R. §§ 41.33 and 1.116(b)(2).

Applicants acknowledge with appreciation the courtesies shown to Applicants' representative, Alan P. Force (Reg. No. 39,673), by Examiner Deborah Yee during a telephone conference on May 19, 2010. Applicants submit that the claims amendments and statements herein are in accordance with that telephone conference.

The Office Action objects to claim 10 for the reasons set forth on page 2 of the Office Action. In response, Applicants have amended claim 10 to change "at least 0.5" to  $\geq 10.0$ , as suggested by the Examiner. Accordingly, it is respectfully requested that the Examiner withdraw the objection to claim 10.

Claim 10 stands rejected under 35 U.S.C. § 112, as allegedly being indefinite for the reasons set forth on page 3 of the Office Action. In particular, the Office Action states that there is no antecedent basis in claim 10 for the recitation of "the steel sheet comprises nickel plating on the steel sheet and beneath the enameling." It is Applicants' understanding that the rejection is based on a lack of antecedent basis for "the enameling," as the preamble of claim 10 provides the antecedent basis for "the steel plate," and the recitation of "nickel plating" is simply a recitation of one of the elements of the presently claimed steel plate.

In response, Applicants have amended claim 10 to change the recitation of "the steel sheet comprises nickel plating on the steel sheet and beneath the enameling" to "the steel sheet further comprises a nickel plating on the steel sheet". Thus, the claims provide an antecedent basis for all of the recitations of the claims, where such an antecedent basis is required. Accordingly, it is respectfully requested that the Examiner withdraw the rejection of claim 10 under 35 U.S.C. § 112, second paragraph.

Claims 10 and 11 stand rejected on the ground of obviousness type double patenting over claims 1 to 3 of U.S. Patent No. 6,8085,678 to Murakami et al. for the reasons set forth on pages 3 and 4 of the Office Action. In response, Applicants submit that the rejection will

be addressed in the appeal, or a Terminal Disclaimer will be filed upon an indication of patentable subject matter in the claims. A Notice of Appeal was filed on March 2, 2010.

Claims 10 and 11 stand rejected under 35 U.S.C. § 103(a), as allegedly being unpatentable over Japanese Patent No. 2002-80934 (JP '934) in view of the English abstract of JP360100686 (JP '686) or the English abstract of JP73029289 (JP '289). In response, Applicants submit that the rejection under 35 U.S.C. § 103(a) will be addressed in the appeal.

Should the Examiner not agree with Applicants' amendments of the claims, a telephonic interview is respectfully requested to discuss how to overcome the rejection under 35 U.S.C. § 112, second paragraph, and the objection to the claims.

A separate Petition for Extension of Time is submitted herewith. Should any other fees be due, however, please charge such fees to Deposit Account No. 11-0600.

Respectfully submitted,

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